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General Docket  
Third Circuit Court of Appeals

|   |                      |
|---|----------------------|
| Court of Appeals Docket #: 04-2018  | Docketed: 04/15/2004 |
| Nature of Suit: 3555 Prison Condition                                     | Termed: 06/03/2004   |
| Jae v. Minnick, et al   |                      |
| Appeal From: U.S. District Court for the District of Pennsylvania Western |                      |
| Fee Status: PLRA  |                      |

## Case Type Information:

- 1) civil
- 2) private
- 3) Civil Rights-prisoner

## Originating Court Information:

|  |                               |
|--|-------------------------------|
| District: 0315-2 : <a href="#">03-cv-01837</a>             |                               |
| District Judge: David Stewart Cercone, U.S. District Judge |                               |
| Date Filed: 12/01/2003                                     |                               |
| Date Order/Judgment:<br>03/15/2004                         | Date NOA Filed:<br>04/13/2004 |

|            |   |
|------------|---|
| 06/07/2004 | MOTION by Appellant John Richard Jae to Proceed In Forma Pauperis, filed. Answer due 06/14/04. Certificate of Service dated 6/1/04. (LWC)   |
| 06/07/2004 | IN FORMA PAUPERIS PRISONER ADDENDUM, filed. (LWC)   |
| 06/07/2004 | IN FORMA PAUPERIS PRISONER AUTHORIZATION, filed. (LWC)  |
| 06/07/2004 | MOTION by Appellant Demonstrating Imminent Danger of Serious Physical Injury, filed. Answer due 06/14/04. Certificate of Service dated 6/1/04. (LWC)  |
| 06/09/2004 | PRISONER ACCOUNT STATEMENT, filed. (LWC)  |
| 06/21/2004 | MOTION by Appellant to Reinstate/Reopen Appeal, filed. Answer due 6/28/04. Certificate of Service dated 6/15/04. (LWC)  |
| 08/10/2004 | Letter sent to Appellant advising him that his letter dated 7/27/04 was forwarded to this office for response, and also advising Appellant that his motion to reopen is still pending with the Court. (LWC)   |
| 10/18/2004 | RECORD, received. (LWC)   |
| 12/29/2004 | ORDER (Sloviter, Authoring Judge, Nygaard and Fuentes, Circuit Judges) Appellant's motion to reopen the appeal is granted contingent upon Appellant's paying the required filing and docketing fees for this appeal (\$255.00) to the District Court within 14 days of the date of this order. Appellant has had at least three prior actions that were dismissed either as frivolous or for failure to state a claim. See Jae v. White, et al., W.D. Pa. Civ. No. 95-2019; Jae v. Graine, et al., W.D. Pa. Civ. No. 96-637; Jae v. Collins, W.D. Pa. Civ. No. 95-1442. Appellant alleges that he is "under imminent danger of serious physical injury" under 28 U.S.C. Section 1915(g). We conclude that Appellant's allegations of imminent danger are insufficient under the standards of Abdul-Akbar v. McKelvie, 239 F.3d 307, 313 (3d Cir. 2001)(en banc). Accordingly, Appellant may not proceed in forma pauperis in this matter, filed. APS-29 (LWC) |
| 10/09/2007 | RECORD RETURNED. (MLR)  |

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| Description:    | Case Summary | Search Criteria: | 04-2018 |
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